

**UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA**

U.S.A. vs. Daryl Kyles

Docket No. 03-00191-001

Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Daryl Kyles, who was placed on supervision by the Honorable Gary L. Lancaster sitting in the Court at Pittsburgh, Pennsylvania, on the 23rd day of April 2004, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Shall pay a \$200 special assessment.
- Shall participate in urine testing and drug treatment as directed by the probation officer.
- Shall submit to DNA testing.

04-23-04: Possession of a Firearm by a Convicted Felon; 58 months' imprisonment; 3 years' supervised release.

10-19-07: Released to supervision; Currently supervised by U.S. Probation Officer Donald A. Covington.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

Your Petitioner reports that the supervised releasee has failed to participate in drug aftercare testing and treatment twice a month as instructed. Further, the supervised releasee tested positive for marijuana on November 1, 2007; December 13, 2007, and January 23, 2008. As a sanction for these supervised release violations, the supervised releasee signed a Probation Form 49, Waiver of Hearing to Modify Conditions of Supervised Release, agreeing to placement on home detention with electronic monitoring for a period of 60 days.

PRAYING THAT THE COURT WILL ORDER that the supervised releasee be placed on home detention for a period of 60 days to commence at the direction of the U.S. Probation Office. The use of electronic monitoring shall be at the discretion of the U.S. Probation Office.

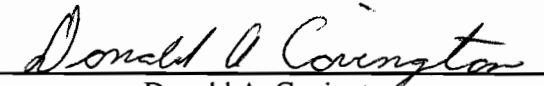
I declare under penalty of perjury that the foregoing is true and correct.

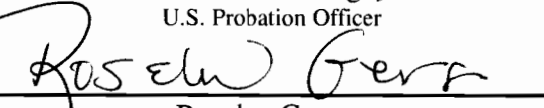
Executed
on June 25, 2008

ORDER OF COURT

Considered and ordered this 2nd day of July, 2008 and ordered filed and made a part of the records in the above case.


U.S. District Judge


Donald A. Covington
U.S. Probation Officer


Roselyn Gerson
Supervising U.S. Probation Officer

Place: Pittsburgh, PA

United States District Court

Western District Of Pennsylvania

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

I agree to placement on home detention with electronic monitoring for a period of 60 days. I shall stay at my place of residence unless excused for employment or other activities approved by the probation office.

Witness:

Donald A Covington

Donald A Covington
United States Probation Officer

Signed:

Daryl Raymond Kyles

Daryl Raymond Kyles
Probationer or Supervised Releasee

6-24-08

Date